

SENATE BILL 2603

By Burks

AN ACT to amend Chapter 63 of the Private Acts of 1981; as amended by Chapter 112 of the Private Acts of 2002; and any other acts amendatory thereto, relative purchasing procedures for Putnam County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 63 of the Private Acts of 1981; as amended by Chapter 112 of the Private Acts of 2002; and any other acts amendatory thereto, is amended by deleting SECTION 5 in its entirety and by substituting instead the following language:

(a) All purchases of goods, supplies or materials, wherein the sum to be expended from public funds is equal to or in excess of the maximum amount authorized under Tennessee Code Annotated § 5-14-108, shall be made by the County Executive upon competitive bidding after at least ten (10) days' advertisement in a newspaper published in Putnam County. Purchases of like items individually costing less than the maximum amount authorized under Tennessee Code Annotated § 5-14-108, but which are customarily purchased in lots of two (2) or more, must likewise be subjected to the competitive bidding provisions of this subsection if the total purchase price of such like items would equal or exceed the maximum amount authorized under Tennessee Code Annotated § 5-14-108 during any fiscal year.

(b) Except as provided by subsection (a) to the contrary, all purchases of any goods, supplies or materials, wherein the sum to be expended from public funds is one thousand dollars (\$1,000) or more, but not equal to or in excess of the maximum amount authorized under Tennessee Code Annotated § 5-14-108,

shall be made after the purchaser has obtained proposals from at least three (3) prospective vendors.

(c) All purchases of any goods, supplies or materials, wherein the sum to be expended from public funds is less than one thousand dollars (\$1,000), may be made by the purchaser without the necessity of competitive bids; however, the County Executive shall use all reasonable efforts to ensure competition among prospective vendors.

(d) Notwithstanding the provisions of this section to the contrary, if an emergency necessitates immediate purchase of any goods, supplies or materials, then the County Executive may purchase such goods, supplies or materials without the necessity of advertisement or written bids, regardless of the amount of such purchase. However, before making such purchase, the County Executive shall state in writing, over his or her signature, the nature of such emergency and shall file the same with the County Clerk, who shall transcribe the same upon the minutes of the County Commission; and the same shall be a public record and shall be subject to inspection by any interested citizen.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Putnam County. Its approval or nonapproval shall be proclaimed by the presiding officer of Putnam County and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.